

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 SAMUEL LEE GORE,

12 Plaintiff,

13 v.

14 GAVIN NEWSOM,

15 Defendant.
16

No. 2:21-CV-1189-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C.
18 § 1983. Before the Court is Plaintiff's motion to proceed in forma pauperis. ECF No. 3. Plaintiff
19 has submitted a declaration that makes the showing required under 28 U.S.C. § 1915(a).

20 The Court notes that Plaintiff's trust account indicates that he has \$930.90 in his
21 account, that Plaintiff is employed in prison and receives monthly deposits,¹ and that Plaintiff
22 concedes that he receives \$1,200 a month in retirement benefit. ECF Nos. 3 at 1–2; 8 at 1. Plaintiff,
23 however, avers that his retired wife depends upon Plaintiff's income to meet all of her expenses.
24 See ECF No. 3 at 2. According to Plaintiff, he sends his wife everything that he earns. Id. On the
25 whole, then, considering guiding case law and Plaintiff's contentions, the Court concludes that
26 Plaintiff has satisfied 28 U.S.C. § 1915(a).

27 ¹ Plaintiff earns pay at a rate of eighty cents an hour. ECF No. 3 at 1. Plaintiff's trust account reflects monthly income.
28 ECF No. 8 at 1. Deposits into Plaintiff's account over the last few months have commonly approached or exceeded \$150. Id.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Considering all of the above, Plaintiff's motion to proceed in forma pauperis is
GRANTED.

IT IS SO ORDERED.

Dated: July 14, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE